

Proposed Amendment No. 1 to Resolution 281

Proposed by: Town of Trappe, Trappe East Holdings Business Trust

Introduced by: Mr. Callahan, Mr. Divilio, Mr. Pack, Mr. Leshner, Ms. Price

Date: February 11, 2020

Proposed Amendments: The amendments proposed to the Resolution are as follows:

1. Amendment of Exhibits “A” and “B” to phase in the water and sewer service area by establishing W-1/S-1 designations for the initial infrastructure extensions proposed in the Lakeside project and retaining the W-2/S-2 designations for the remainder of the Lakeside project site, as shown on revised Exhibits “A” and “B”, which are attached hereto and incorporated by reference herein; and
2. Amendment of Exhibit “F”, the Trappe Area Sewerage System - Future Sewer narrative, to describe the initial wastewater service for the Lakeside project in greater detail, including the phasing set forth in revised Exhibits “A” and “B” and the potential for service by available capacity in the existing Trappe wastewater treatment plant; and
3. Correction of Exhibit “F” to replace Table 10. Trappe Water System Capital Improvement Projects, which was erroneously placed in Exhibit “F”, with amended Table 21-Trappe Sewerage System Capital Improvement Projects, for consistency with Exhibit “D.”

KEY	
Boldface	Heading or defined term
<u>Underlining</u>	Added to Resolution by amendment
Strikethrough	Deleted from Resolution by amendment
* * *Existing Resolution unaffected

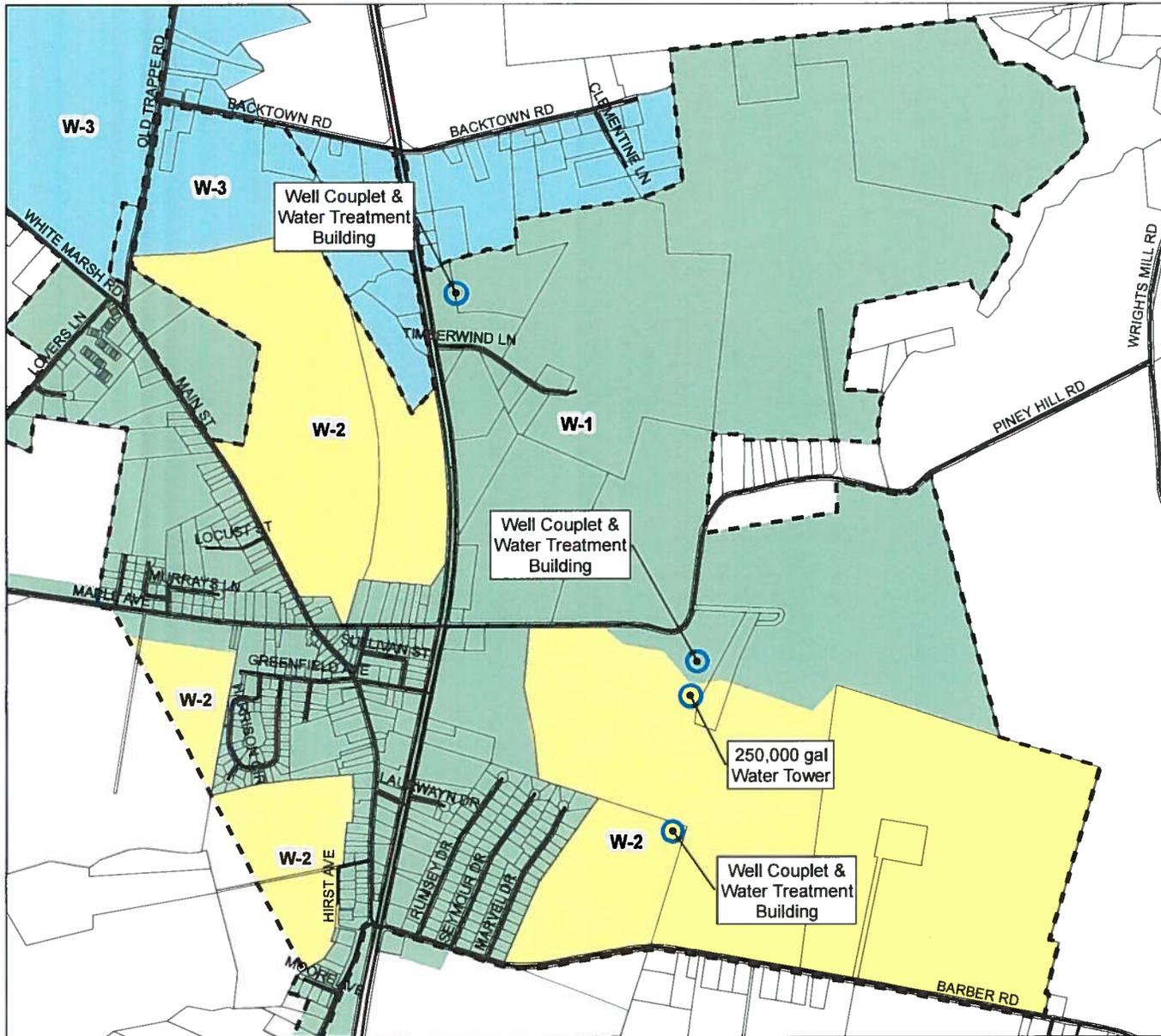
A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN (THE "PLAN") TO RECLASSIFY AND REMAP PORTIONS OF CERTAIN REAL PROPERTY LOCATED IN THE TOWN OF TRAPPE, MARYLAND, ASSOCIATED WITH THE LAKESIDE PLANNED UNIT DEVELOPMENT (THE "LAKESIDE PROJECT") (FORMERLY KNOWN AS "TRAPPE EAST"), FURTHER DESCRIBED AS TAX MAP 54, PARCEL 304; TAX MAP 55, PARCELS 14, 15, 17, 19, 44, 65, 83, AND 85; AND, TAX MAP 59, PARCEL 4, THE TOTAL AREA CONSISTING OF EIGHT HUNDRED SIXTY-FIVE ACRES, MORE OR LESS (THE "PROPERTY"), FROM "S-2" AND "W-2" (AREAS WHERE IMPROVEMENTS OR EXTENSIONS TO EXISTING, OR CONSTRUCTION OF NEW COMMUNITY, MULTI-USE, OR SHARED SANITARY FACILITIES ARE PROGRAMMED FOR PROGRESS WITHIN THREE TO FIVE YEARS) TO "S-1" AND "W-1" (AREAS SERVED OR TO BE SERVED BY COMMUNITY, MULTI-USE, OR SHARED SANITARY FACILITIES WHICH ARE EXISTING, UNDER CONSTRUCTION, OR HAVE IMMEDIATE PRIORITY STATUS); TO AMEND THE PLAN TO ADD CERTAIN WATER AND SEWER CAPITAL PROJECTS RELATED TO THE LAKESIDE PROJECT AND EXISTING SYSTEMS FOR THE FISCAL YEARS 2020 THROUGH 2030; AND, TO AMEND THE PLAN TO UPDATE THE NARRATIVE DESCRIPTION IN THE PLAN RELATIVE TO THE LAKESIDE PROJECT AND EXISTING SYSTEMS

* * *

SECTION TWO: The Plan is amended to reclassify and remap a portion of the Property from the current classification of "W-2" to "W-1", immediate priority status, as shown and described on the Comprehensive Water and Sewer Plan worksheet titled "Talbot County Comprehensive Water & Sewer Plan, Town of Trappe, Proposed Water Service Area & Water System Facilities," prepared by the Talbot County Department of Public Works, dated February 10, 2020~~December 9, 2019~~, which worksheet is attached hereto as Exhibit "A" and incorporated herein. Figures 11 and 12 of the Plan, titled "Talbot County Town of Trappe Water Service Area" and "Talbot County Town of Trappe Long Range Planning Water Service Area," respectively, are amended to reflect the reclassification and remapping from "W-2" to "W-1" as set forth herein.

SECTION THREE: The Plan is amended to reclassify and remap a portion of the Property from the current classification of "S-2" to "S-1", immediate priority status, as shown and described on the Comprehensive Water and Sewer Plan worksheet titled "Talbot County Comprehensive Water & Sewer Plan, Town of Trappe, Proposed Sewer Service Area & Sanitary System Facilities," prepared by the Talbot County Department of Public Works, dated February 10, 2020~~December 9, 2019~~, which worksheet is attached hereto as Exhibit "B" and incorporated herein. Figures 23 and 24 of the Plan are amended to reflect the reclassification and remapping from "S-2" to "S-1" set forth herein.

* * *



Talbot County
Comprehensive Water & Sewer Plan

Town of Trappe
Proposed Water Service Area
& Water System Facilities



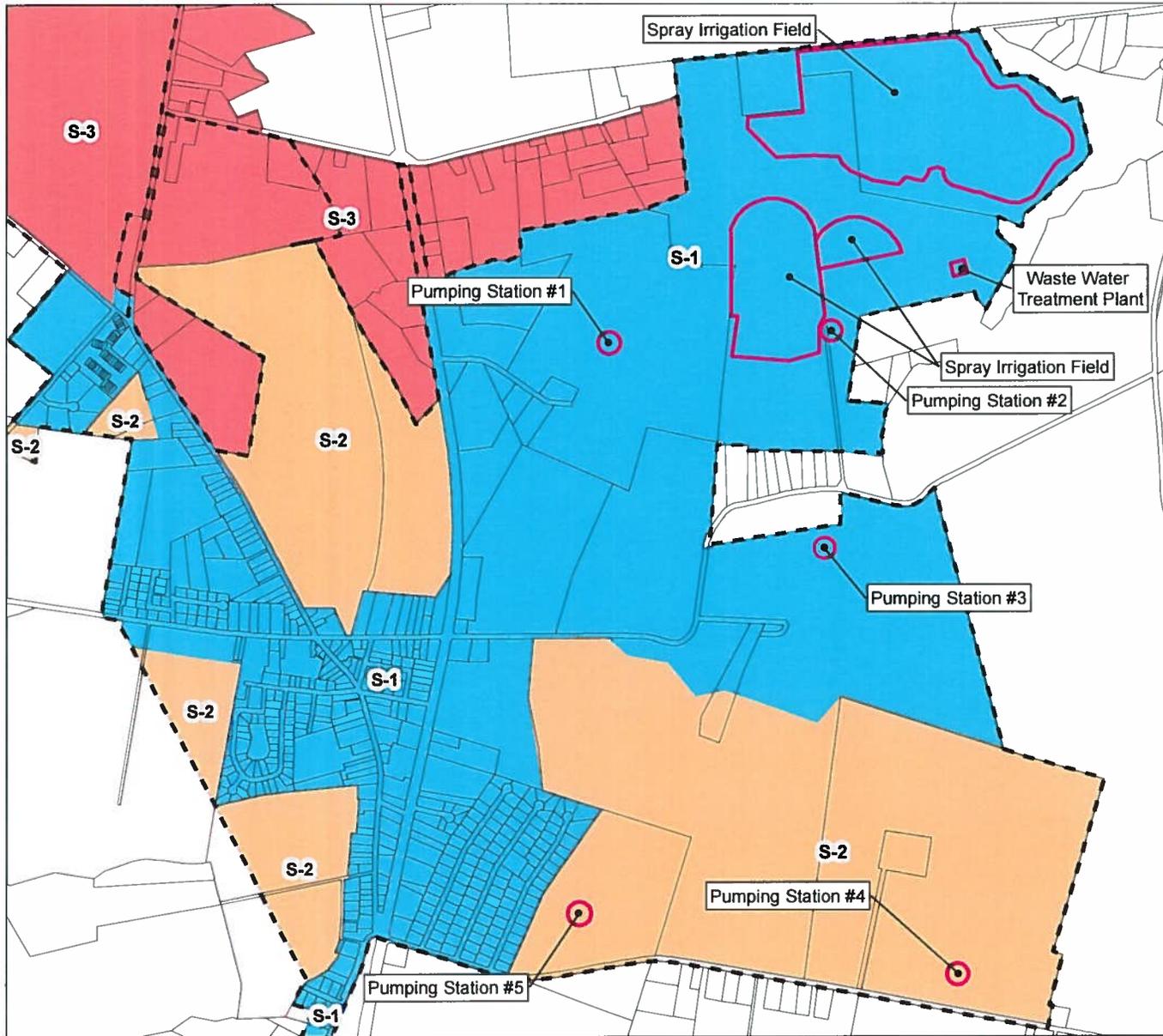
Legend

-  Proposed Water System Facility
- Proposed Water Service Area**
- TYPE**
-  W-1
-  W-2
-  W-3
-  Talbot Municipal Boundary

Source: Talbot County
Comprehensive Water & Sewer Plan:
2002 Report of the Review &
Resolutions



Talbot County Public Works
February 10, 2020



**Talbot County
Comprehensive Water & Sewer Plan**

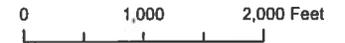
**Town of Trappe
Proposed Sewer Service Area
& Sanitary System Facilities**



Legend

- Proposed Sanitary System Facility
- Proposed Sewer Service Area TYPE**
 - S-1
 - S-2
 - S-3
- Talbot Municipal Boundary

Source: Talbot County
Comprehensive Water & Sewer Plan:
2002 Report of the Review &
Resolutions



Talbot County Public Works
February 10, 2020

EXHIBIT "F"

* * *

<u>TABLE 21. TRAPPE SEWERAGE SYSTEM CAPITAL IMPROVEMENT PROJECTS</u>		
<u>PROJECT DESCRIPTION</u>	<u>PROPOSED FISCAL YEAR</u>	<u>COMMENTS</u>
<u>New Phased 0.54 MGD WWTP, storage and spray irrigation for Trappe East Sewer District</u>	<u>2020</u>	<u>WWTP, storage and spray irrigation construction will be phased</u>
<u>Construct Phases 1 and 2 sewer collection and pumping system for Trappe East Sewer District</u>	<u>2020</u>	<u>Collection system, including regional pump stations, will be phased</u>
<u>Construct additional phases of sewer collection and pumping system for Trappe East Sewer District</u>	<u>2023-2030</u>	
<u>Extend sewer collection system along Howell Point Road</u>	<u>2022</u>	
<u>Extend sewer collection system to Whitemarsh Village District</u>	<u>2025-2030</u>	
<u>Upgrade the Trappe Sewer Area existing 0.2MGD WWTP to ENR treatment</u>	<u>2021</u>	<u>\$4,376,823.00. Upgrade the existing 200,000 gallon per day WWTP to Enhanced Nutrient Removal treatment to reduce the nutrient discharge to the Chesapeake Bay and remove sludge in the existing lagoon.</u>
<u>Functional replacement of existing pumping stations</u>	<u>2020-2021</u>	<u>\$1,975,000.00. Repair and replace 7 existing pump stations and gravity sewer lines throughout the Town of Trappe.</u>

<u>TABLE 10. TRAPPE WATER SYSTEM CAPITAL IMPROVEMENT PROJECTS</u>		
<u>PROJECT DESCRIPTION</u>	<u>PROPOSED FISCAL YEAR</u>	<u>COMMENTS</u>
<u>Construct water distribution system</u>	<u>2020</u>	

for Trappe East District Phases 1 and 2		
Add water treatment facility and well couplet in Trappe East District	2020	
Extension of water distribution system in Trappe East District	2023-2030	
Add 250,000 gallon elevated water tower in Trappe East District	2023	
Add additional water treatment and well couplets in Trappe East District	2023-2030	Additional wells will be constructed and connected as water demands require
Add water distribution system to Whitmarsh District	2025-2030	
New well and well treatment system (aquifer—Piney Point)	2020	Cost of \$1,150,000.00.

* * *

TRAPPE AREA SEWERAGE SYSTEM- FUTURE PLANNING

As identified within the goals of Chapter One of this Plan, growth of the County is to be encouraged and directed in concentrated centers around existing centers of population that presently have adequate or potentially adequate water and sewer services. To plan sewer service to meet the needs of future growth, the sewer service provider, the Town of Trappe, is proposing to create sanitary sewer service districts. The sewer service presently being provided in the Town of Trappe would be referred to as the Trappe Sewer District. To address the sanitary sewer needs in the growth area around the Town of Trappe, two sewer service districts are being proposed.

The proposed Trappe East Sewer District will serve parcels located in the Town on the east side of Maryland Route 50. On the northern end of Town, a second sewer service district, White Marsh Sewer District, is being proposed to serve parcels annexed into the Town of Trappe.

The delineated development area around the Town of Trappe is shown on Figure 24. The factors that influence the size of the development areas for the Town of Trappe includes the growth potential of the Town, the presence of natural growth constraints such as waterways, the Chesapeake Bay Critical Area, and the availability of water and sewer service. As land is annexed into the Town of Trappe, these areas would be designated as S-1 (means areas served or to be served by the Town of Trappe that are either existing, under construction, or have immediate

priority status to be served with sewer service) after amending the Talbot County Comprehensive Water and Sewer Plan.

An Enhanced Nutrient Removal ("ENR") 0.54 MGD Membrane Bio-Reactor ("MBR") wastewater treatment plant ("WWTP") and collection system will be designed, constructed in phases and operated to serve the proposed Lakeside development within the Trappe East Sewer District. The proposed MBR ENR WWTP ~~will be~~ designed such that it can be constructed in phases. This type of design will eliminate operating challenges associated with the low flows generated by early phases of development and the inability of a WWTP constructed to full build-out capacity to operate properly at initial low flows. Phase 1 Section 1 of the proposed Lakeside project is expected to include approximately 84 single-family residential dwellings and a visitor and sales center. Sanitary sewer capacity for the proposed start-up phase will require treatment and disposal of approximately 30,000 to 40,000 gallons per day. The initial treatment and disposal capacity estimate includes consideration of flow equalization and peak-flow capacity. Start-up wastewater treatment for the Lakeside project may be provided by a modular ENR MBR WWTP, capable of operating at the initial development flow rates, or by a direct connection to the existing Trappe wastewater system. Connection to the existing Town of Trappe wastewater system is subject to the approval of the Town of Trappe, available WWTP capacity, and adequate access to the existing collection system. Following the initial section of development, the full-capacity Lakeside WWTP will be constructed in phases of ~~After the initial construction, each phase of the WWTP will be sized to treat~~ approximately 100,000 gallons per day of wastewater. ~~Additional phases will be added to~~ The WWTP will be expanded in phases as the capacity of the then-existing Lakeside WWTP ~~current phase~~ approaches 80% of capacity.

Treated effluent from the Lakeside WWTP will be disposed of by spray irrigation on lands within the Trappe East Sewer District. If the initial section of the Lakeside project is served by the existing Town of Trappe wastewater system, wastewater flow from that section may be redirected to the full capacity Lakeside WWTP if required by the Town of Trappe. Otherwise, ~~no~~ wastewater capacity of the existing Trappe District wastewater treatment plant will be allocated to serve the Trappe East Sewer District.

Based upon the discharge permit previously issued by MDE for the Trappe East Sewer District, treated wastewater from the ~~Trappe East-Lakeside~~ WWTP must meet minimum treatment and flow limitations of BODS - 10 mg/1, Suspended Solids - 10 mg/1, Flow - 540,000 ~~(2)~~ gpd (Ultimate Permitted Flow) 37,500 gpd (Permitted Flow at Start-Up ~~this~~ Phase), Total Nitrogen - 8 mg/1, Total Phosphorus - 3 mg/1, and Fecal Coliform 3 MPN/100m1. The Trappe East MBR ENR wastewater treatment plant will be capable of exceeding minimum nutrient effluent standards with effluent nutrient levels of Total Nitrogen - 3 mg/1, Total Phosphorus - .3 mg/1.

The information presented in Figure 24 is for planning purposes. The Sewer Districts have been defined using a blue line with various colors, shading and hatches defining the areas of existing sewer service and future sewer service areas and the Priority Funding Areas as defined by the Town of Trappe and the County and those Priority Funding Areas approved by the State. This map does not impose an obligation on Talbot County or the Town of Trappe to provide sewer and/or sanitary sewer service areas not presently being served. Prior to extending sewer service into the growth areas, the Town of Trappe would assure that the existing sewer system has capacity to

serve the growth areas and the safety and adequacy of its public sewer supply system in maintained for all its users.

* * *

Purpose: The purposes of the amendments are to (i) more specifically describe the initial phases of infrastructure development to accommodate construction of the Lakeside project within the Town of Trappe and (ii) reflect the phased construction of the Lakeside WWTP through refinement of the service area designations for the Trappe East Water and Sewer Service Areas.

Amendment substantive: An amended ordinance cannot be deemed to be a new or different one unless it enlarges or narrows the scope of the original ordinance to such an extent that the ordinance as enacted can be said to be misleading in a substantial manner in its final form. Amendments that do not defeat the original purpose of the ordinance are not so substantial as to become a new ordinance. *Ajamian v. Montgomery County*, 99 Md. App. 665, 684-685 (1994). This amendment meets that test and it is therefore non-substantive.